THE CITY OF NEW YORK

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APPLICATION GRANTED. November 1, 2004
SO ORDERED.

Dated: Brooklyn, New York
              11 / 8 / 04

CAROL BAGLEY AMON
United States District Judge

DEFENDANTS COUNSEL IS DIRECTED
TO SERVE A COPY OF THIS ORDER
ON ALL PARTIES UPON RECEIPT

BY FIRST CLASS MAIL
Hon. Carol B. Amon
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: <u>Clifford Steward v. City of New York, et. al.</u>
04 Civ. 1508 (CBA) (RML)

Dear Judge Amon:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York, New York City Board of Education and Harold O. Levy (the "City defendants").
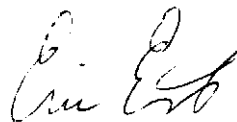
I write to inform the Court, pursuant to Your Honor's direction at the September 14, 2004 conference in this matter, that plaintiff and the City defendants have agreed on a briefing schedule for the City defendant's motion to dismiss the claims asserted against them pursuant to 42 U.S.C. §1983.[1]

The plaintiff and City defendants agree that the City defendants shall serve their motion on or before November 1, 2004. The plaintiff shall serve his opposition on or before December 10, 2004. The City defendants shall serve their reply on or before December 22, 2004.

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[1] As discussed at the conference, these §1983 claims are the only Federal claims asserted in the complaint, so these matters will be briefed for the Court first.

The City defendants respectfully request that the Court approve this briefing schedule. Thank you for your consideration herein.

Respectfully submitted,

Eric Eichenholtz (EE3286)
Assistant Corporation Counsel

cc: All counsel of record (by first class mail)